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09/207,945	12/09/1998	BINH NGUYEN	5577-115	7467

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EXAMINER

HUYNH, THU V

ART UNIT PAPER NUMBER

2178

DATE MAILED: 11/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/207,945

Applicant(s)

NGUYEN ET AL.

Examiner

Thu V Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55 and 57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55 and 57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

1. This action is responsive to communications: Response to office action mailed on 08/09/2002 and Declaration under 37 C.F.R § 1.131 filed on 10/28/2002 of application filed on 12/09/1998.
2. Claims 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55, and 57 are pending in the case. Claims 1, 9, 13, 20, 28, 32, 39, 47, and 51 are independent claims.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1-4, 6-13, 15-17, 19-23, 25-32, 34-36, 38-42, 44-51, 53-55, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wodarz et al., US 5,999,912 filed 05/1997, in view of Chan et al., US 6,178,461B1 filed 12/08/1998, Blumenau et al., US 6,108,637 filed 09/1996, and Shaw et al., US 6,311,211 B1 priority filed 09/1998.**

**Regarding independent claim 1, Wodarz teaches the steps of:**

- generating a requested web page, wherein the generated web page includes a content object having a unique, non-URL identifier associated therewith (Wodarz,

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col.3, line 39 – col.4, line 12 and page 3, table 1, Wodarz teaches generating a web page includes many ad objects. Each ad object having a unique, non-URL identifier “Ad number” associated therewith); and

- serving the generated web page to the web client (Wodarz, col.3, line 39 – col.4, line 15).

However, Wodarz does not explicitly disclose the steps of storing a record of the user request within a web server log; appending the stored record of the user request with the unique identifier associated with the content object included within the generated web page; and the unique, non-URL identifier is generated via a hashing function.

Chan teaches including unique ID using hash function along with each URL (Chan, col.12, lines 3-11).

It would have been obvious to a version of ordinary skill in the art at the time the invention was made to have combined Chan and wodarz to provide an unique identifier for each advertisement using hash function, since the hash function was well known for providing a unique identifier of a piece of data.

Blumenau discloses the steps of:

- storing a record of the user request within a web server log (Blumenau, col.2, lines 20-36); and
- appending the stored record of the user request with a unique URL identifier associated with the content object included within the generated web page (Blumenau, col.2, lines 20-52, Blumenau teaches a web page “can itself reference other files” which implies that the web page must includes link object which has

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an unique identifier in order to reference to other file on an web page environment. Further Blumenau teaches that the log file stores user information and “an identification of the file requested” which makes it clear that the unique identifier of the link request is also stored in the log file).

However, Blumenau does not explicitly disclose appending the stored record of the user request with a unique non-URL identifier.

Shaw teaches a server system utilizes information in an user profile/event log file to determine which advertisements are displayed to particular user (Shaw, col.4, lines 40-58), and an id ad is logged in an ad log file for the server process (Shaw, col.11, lins 56-57).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Blumenau and Shaw to store information about an object content in a web page, such as URL and non-URL identifier of the object content in a log file, since these information would have help the system determine which advertisement eligible to particular user.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Shaw, Blumenau into Wodarz and Blumenau to help the server to provide web pages which based on the user specific characteristics as Wodarz disclosed “selection of ads to provide to the user are based on user specific characteristic” (Wodarz, col.2, lines 7-13), since storing “a record of the user request within a web server log” and non-URL unique identifier associated with the content object included within the generated web page of Shaw and Blumenau would have helped the server keep track of the user’s information and activities in order to decide which advertisement suitable to the user.

**Regarding dependent claim 2**, which is dependent on claim 1, Wodarz, Chan, Blumenau and Shaw teach the limitations of claim 1 as explained above. Blumenau discloses wherein the record of the request includes information that identifies the user (Blumenau, col.2, lines 20-52).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Wodarz and Blumenau to help the server provide web pages which meet the user's interest, since basing on user identifier, the server would be able to serve web pages to appropriate user's needs as Wodarz disclosed at col.2, lines 7-13.

**Regarding dependent claim 3**, which is dependent on claim 1, Wodarz, Chan, Blumenau and Shaw teach the limitations of claim 1 as explained above. Wodarz also discloses the method according to claim 1 wherein the step of generating the requested web page comprises the steps of:

- retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page (Wodarz, col.1, lines 35-40);
- retrieving the content objects (Wodarz, col.1, lines 35-62); and
- combining the content objects and the layout template to produce the requested web page (Wodarz, col.1, line 35 – col.2, line 6).

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**Regarding dependent claim 4**, which is dependent on claim 3, Wodarz, Chan, Blumenau and Shaw teach the limitation of claim 3 as explained above. Wodarz discloses the method according to claim 3 wherein the content object is selected from the group of image files, hyperlinks (col.3, lines 55-61). However, Wodarz does not explicitly disclose the content object is selected from the group of text files, audio files, and video file.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have included that advertisement objects of Wodarz is selected from the group of text files, audio files, and video file, since it would have helped the generated web page more attractive to the user.

**Regarding dependent claim 6**, which is dependent on claim 1, Wodarz, Chan, Blumenau and Shaw teach the limitations of claim 1 as explained above. Wodarz also discloses the method according to claim 1 further comprising the step of a parser program using algorithms to select appropriate ads (Wodarz, col.2, lines 7-14), which implies the step of analyzing a plurality of stored user request records to determine web content preferences of a user.

**Regarding dependent claim 7**, which is dependent on claim 1, Wodarz, Chan, Blumenau and Shaw teach the limitations of claim 1 as explained above. Blumenau discloses the step of appending the stored record of the user request with a time stamp for a subsequent user request for a web page (Blumenau, col.2, lines 20-52).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Wodarz and Blumenau to help the server more accurately analyze the user's records to determine web content preferences of a user, since the more user's information a server captures, the better the quality of the statistics would have been.

**Regarding dependent claim 8**, which is dependent on claim 7, Wodarz, Chan, Blumenau and Shaw teach the limitations of claim 7 as explained above. Blumenau discloses the step of determining a length of time the user views the generated web page using the time stamp within the store record (Blumenau, col.13, lines 50-58).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Wodarz, and Blumenau to provide more criteria for Wodarz's parser program to select ads to provide to the client, since the server knows what the users' interests are, based on how long the user spent to view the web page.

**Regarding independent claim 9**, Wodarz teaches the steps of:

- generating the requested web page, wherein the generated web page includes first and second content objects having respective unique, non-URL first and second identifiers associated therewith (Wodarz, col.3, line 39 – col.4, line 12 and page 3, table 1, Wodarz teaches generating a web page includes many ad objects. Each ad object having a unique, non-URL identifier “Ad number” associated therewith);

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- serving the generated web page to the web client (Wodarz, col.3, line 39 – col.4, line 15);
- retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page (Wodarz, col.1, lines 35-40);
- retrieving the first and second content objects (Wodarz, col.1, lines 35-62, retrieve many advertisement objects); and
- combining the first and second content objects and the layout template to produce the requested web page (Wodarz, col.1, line 35 – col.2, line 6, combining many advertisement objects and layout template to generate the requested web page).

However, Wodarz does not explicitly disclose the steps of storing a record of the user request within a web server log; appending the stored record of the user request with the unique identifiers associated with the content objects included within the generated web page; and the unique, non-URL first and second identifiers are generated via a hashing function.

Chan teaches including unique ID using hash function along with each URL (Chan, col.12, lines 3-11).

It would have been obvious to a version of ordinary skill in the art at the time the invention was made to have combined Chan and wodarz to provide an unique identifier for each advertisement using hash function, since the hash function was well known for providing a unique identifier of a piece of data.

Blumenau discloses the steps of:

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- storing a record of the user request within a web server log (Blumenau, col.2, lines 20-36); and

appending the stored record of the user request with a URL unique identifiers associated with the content objects included within the generated web page (Blumenau, col.2, lines 20-52, Blumenau teaches a web page “can itself reference other files” which implies that the web page must includes link object which has an unique identifier in order to reference to other file on an web page environment. Further Blumenau teaches that the log file stores user information and “an identification of the file requested” for each single file request which means that the unique identifier of the link request is also stored in the log file). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have recognized that the first and second URL identifiers of files requests (objects requests) must be added to the log file when the user requests such files.

However, Blumenau does not explicitly disclose appending the stored record of the user request with first and second unique, non-URL identifiers.

Shaw teaches a server system utilizes information in an user profile/event log file to determine which advertisements are displayed to particular user (Shaw, col.4, lines 40-58), and an id ad is logged in an ad log file for the server process (Shaw, col.11, lins 56-57).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Blumenau and Shaw to store information about an object content in a web page, such as URL and non-URL identifier of the object content in a log file, since these information would have help the system determine which advertisement eligible to particular user.

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Shaw, Blumenau into Wodarz and Blumenau to help the server to provide web pages which based on the user specific characteristics as Wodarz disclosed “selection of ads to provide to the user are based on user specific characteristic” (Wodarz, col.2, lines 7-13), since storing “a record of the user request within a web server log” and non-URL unique identifier associated with the content object included within the generated web page of Shaw and Blumenau would have helped the server keep track of the user’s information and activities in order to decide which advertisement suitable to the user.

**Regarding dependent claim 10**, claim 10 includes limitations of claim 2, and is rejected under the same rationale.

**Regarding dependent claim 11**, claim 11 includes limitations of claim 4, and is rejected under the same rationale.

**Regarding dependent claim 12**, claim 12 includes limitations of claim 6, and is rejected under the same rationale.

**Regarding independent claim 13**, Wodarz teaches the steps of:

- associating dynamically generated web page content with a user who requests a web page from a web server via a web client in communication with the web server (Wodarz, col.1, lines 35-52) comprising the steps of:

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- generating a requested web page, wherein the generated web page includes a content object having a unique, non-URL identifier associated therewith (Wodarz, col.3, line 39 – col.4, line 12 and page 3, table 1, Wodarz teaches generating a web page includes many ad objects. Each ad object having a unique, non-URL identifier “Ad number” associated therewith); and
- serving the generated web page to the web client (Wodarz, col.3, line 39 – col.4, line 15).

However, Wodarz does not explicitly disclose the steps of storing a record of the user request within a web server log; appending the stored record of the user request with the unique identifier associated with the content object included within the generated web page; and the unique, non-URL identifier is generated via a hashing function.

Chan teaches including unique ID using hash function along with each URL (Chan, col.12, lines 3-11).

It would have been obvious to a version of ordinary skill in the art at the time the invention was made to have combined Chan and wodarz to provide an unique identifier for each advertisement using hash function, since the hash function was well known for providing a unique identifier of a piece of data.

Blumenau discloses the steps of:

- storing a record of the user request within a web server log (Blumenau, col.2, lines 20-36); and
- appending the stored record of the user request with a unique **URL** identifier associated with the content object included within the generated web page

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(Blumenau, col.2, lines 20-52, Blumenau teaches a web page “can itself reference other files” which implies that the web page must includes link object which has an unique identifier in order to reference to other file on an web page environment. Further Blumenau teaches that the log file stores user information and “an identification of the file requested” which makes it clear that the unique identifier of the link request is also stored in the log file).

However, Blumenau does not explicitly disclose appending the stored record of the user request with a unique non-URL identifier.

Shaw teaches a server system utilizes information in an user profile/event log file to determine which advertisements are displayed to particular user (Shaw, col.4, lines 40-58), and an id ad is logged in an ad log file for the server process (Shaw, col.11, lins 56-57).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Blumenau and Shaw to store information about an object content in a web page, such as URL and non-URL identifier of the object content in a log file, since these information would have help the system determine which advertisement eligible to particular user.

- It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Shaw, Blumenau into Wodarz and Blumenau to help the server to provide web pages which based on the user specific characteristics as Wodarz disclosed “selection of ads to provide to the user are based on user specific characteristic” (Wodarz, col.2, lines 7-13), since storing “a record of the user request within a web server log” and non-URL

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unique identifier associated with the content object included within the generated web page of Shaw and Blumenau would have helped the server keep track of the user's information and activities in order to decide which advertisement suitable to the user.

**Regarding dependent claim 15**, claim 15 includes limitations of claim 2. Refer to the rationale relied to reject claim 2, wherein the record of the request includes information that identifies the user is addressed. The rationale is incorporated herein.

**Regarding dependent claim 16**, claim 16 includes limitations of claim 3. Refer to the rationale relied to reject claim 3, wherein retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page; retrieving the content objects; and combining the content objects and the layout template to produce the requested web page are addressed. The rationale is incorporated herein.

**Regarding dependent claim 17**, claim 17 includes limitation of claim 4. Refer to the rationale relied to reject claim 4, wherein the content object is selected from the group consisting of text file, audio files, video files, image files and hyperlinks is addressed. The rationale is incorporated herein.

**Regarding dependent claim 19**, claim 19 includes limitation of claim 6. Refer to the rationale relied to reject claim 6, the step of analyzing a plurality of stored user request records to determine Web content preference of a user is addressed. The rationale is incorporated herein.

**Claims 20-23, 25-32, 34-36, and 38** are for a computer system performing the method of claims 1-4, 6-13, 15-17, and 19, respectively and are rejected under the same rationale.

**Claims 39-42, 44-51, 53-55, and 57** are for a computer program performing the method of claims 1-4, 6-13, 15-17, and 19, respectively and are rejected under the same rationale.

***Response to Amendment***

5. The Declaration of Declaration filed on 10/28/2002 under 37 CFR § 1.131 has been considered but is ineffective to overcome the US 6,178,461 B1(Chan et al., filed on 12/08/1998) reference.
6. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Chan et al. reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). There is no evidence of facts. Facts must be alleged and specifically referred to in the declaration. See MPEP 700-200, left column, section 715.07 “general requirements” and MPEP 700-210, left column, first paragraph.

If attempts to reach the examiner by telephone are unsuccessful, supervisor, Heather R Herndon can be reached on (703) 308-5186. The organization where this application or proceeding is assigned are (703) 746-7238 for After Final communications, and (703) 746-7238 for Official/Draft.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is (703) 308-5186.

TVH  
October 30, 2002



7. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Chan et al. reference. There is no evidence of reduction to practice before the reference date. See MPEP 700-210, right column, first paragraph; and MPEP 700-211, left column, last paragraph.

*Conclusion*

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu v Huynh whose telephone number is (703) 305-9774. The examiner can normally be reached on Monday through Friday, except the second Friday of each bi-week.



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Remarks:

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